

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

IN RE: PREMIER ENTERTAINMENT BILOXI, LLC, ET AL. DEBTORS

BANKRUPTCY CASE NO. 06-50975 ERG (BANKR. S.D. MISS.)

PACIFIC INVESTMENT MANAGEMENT COMPANY, LLC APPELLANTS

V. CIVIL ACTION NO.1:07MC1005 LTS-JMR

PREMIER ENTERTAINMENT BILOXI, LLC APPELLEES

**MEMORANDUM OPINION AND ORDER**

The Court has before it the Emergency Motion [1] of Appellants Pacific Investment Management Company, LLC, (PIMC) seeking a temporary stay of the Bankruptcy Court's order confirming the debtors' plan of reorganization or, in the alternative, for a stay of that order pending appeal. PIMC has requested an expedited hearing on its motion.

Having heard the arguments of counsel and having considered the memoranda of law and other materials submitted by the parties, I am of the opinion that PIMC has failed to meet its burden of showing that the four criteria established in *Arnold v. Garlock, Inc.*, 278 F.3d 426 (5<sup>th</sup> Cir.2001) are met in this case.

Accordingly, it is hereby

**ORDERED**

That the request for an expedited hearing is hereby **GRANTED**; and

That the Emergency Motion [1] of Appellants Pacific Investment Management Company, LLC, for a temporary stay of the order of the Bankruptcy Court confirming the debtors' plan of reorganization, or, in the alternative, for a stay of that order pending appeal is hereby **DENIED**.

**SO ORDERED** this 10<sup>th</sup> day of August, 2007.

s/ L. T. Senter, Jr.  
L. T. SENTER, JR.  
SENIOR JUDGE